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MEMO ENDORSED

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ADMITTLD ANNUM YORK, CONNECTOUR, NEW JERSEY, & MASS WITE SETTS

February 28, 2008

### **BY MESSENGER**

Honorable Lawrence M. McKenna United States District Judge Daniel Patrick Moynihan United States Courthouse 500 Pearl Street, Room 1640 New York, New York 10007

Domina Shipmanagement Ltd. v. Medway Chartering Ltd., et al.

<u>08 Civ. 01155 (RWS)</u> Our File No.: 2652006

Dear Judge McKenna:

Re:

We represent plaintiff Domina Shipmanagement Ltd. ("Domina") in this action.

Further to our letter dated February 21, the parties have now executed a Settlement Agreement, settlement funds have been remitted, and instructions have been sent to the garnishee banks to release the funds under attachment. We anticipate that the funds will be released by the banks shortly. The parties have also submitted a Stipulation and Order of Dismissal to the Orders and Judgments Clerk.

Meanwhile, the briefing on defendant's motion to vacate the attachment was adjourned to accommodate the settlement process. Now that a settlement has been finalized, on behalf of defendant, we write to advise that the motion to vacate has been withdrawn without prejudice. Moreover, on behalf of both parties, we ask that the current dates for briefing of the motion be cancelled.

We thank you for your attention to this matter.

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Respectfully yours,

Lyons & Flood, LLP

By: Kirk M. Lyons

# **BY MESSENGER**

ce: Honorable Robert W. Sweet United States District Judge Daniel Patrick Moynihan United States Courthouse 500 Pearl Street, Room 1920 New York, New York 10007

# **BY TELEFAX**

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